



# PROPOSED RULE MAKING

**CR-102 (June 2004)**

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Board of Registration for Professional Engineers and Land Surveyors

- ☒ Preproposal Statement of Inquiry was filed as WSR 07-14-152; or  
☐ Expedited Rule Making--Proposed notice was filed as WSR \_\_\_\_\_; or  
☐ Proposal is exempt under RCW 34.05.310(4).

- ☒ Original Notice  
☐ Supplemental Notice to WSR \_\_\_\_\_  
☐ Continuance of WSR \_\_\_\_\_

Title of rule and other identifying information: (Describe Subject) WAC 196-12 - Registered Professional Engineers

**Hearing location(s):**

La Quinta Inn - Board Room  
1427 E 27<sup>th</sup>  
Tacoma WA 98421

**Submit written comments to:**

Name: George A. Twiss, PLS, Executive Director  
Address: Board of Registration for Professional Engineers & Land Surveyors  
PO Box 9025  
Olympia WA 98507-9025  
e-mail [engineers@dol.wa.gov](mailto:engineers@dol.wa.gov)  
fax (360)664-2551 by (date) May 2, 2008

Date: May 7, 2008 Time: 3:00 p.m.

**Assistance for persons with disabilities: Contact**

Kim King by May 2, 2008

TTY (360) 664-8885 or (360) 664-1564

**Date of intended adoption:** May 7, 2008

(Note: This is NOT the effective date)

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** As a result of SSB #5984, Chapter 193, Laws of 2007, these rules are needed to establish a waiver of structural licensure for a limited period of time.**Reasons supporting proposal:** SSB #5984, Chapter 193, Laws of 2007 established that only structural engineers can perform engineering work on significant structures. The rules are need to reflect the changes made to RCW 18.43 that impact those professional engineers that perform structural work.**Statutory authority for adoption:** Chapter 18.43.035 RCW**Statute being implemented:** RCW 18.43**Is rule necessary because of a:**

Federal Law? ☐ Yes ☒ No  
Federal Court Decision? ☐ Yes ☒ No  
State Court Decision? ☐ Yes ☒ No  
If yes, CITATION:

**DATE** April 2, 2008**NAME** (type or print)  
George A. Twiss**SIGNATURE****TITLE**  
Executive Director**CODE REVISER USE ONLY**CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

APR 2 2008

TIME 11:41  
WSR 08-08-120AM  
PM

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**  
None

**Name of proponent:** (person or organization) Board of Registration for Professional Engineers & Land Surveyors

☐ Private  
☐ Public  
☒ Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... George A. Twiss	405 Black Lake Blvd, Olympia WA 98502	(360) 664-1565
Implementation.... George A. Twiss	405 Black Lake Blvd, Olympia WA 98502	(360) 664-1565
Enforcement..... George A. Twiss	405 Black Lake Blvd, Olympia WA 98502	(360) 664-1565

**Has a small business economic impact statement been prepared under chapter 19.85 RCW?**

☐ Yes. Attach copy of small business economic impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No. Explain why no statement was prepared.

There is no economic impact to licensees.

**Is a cost-benefit analysis required under RCW 34.05.328?**

☐ Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone ( ) \_\_\_\_\_

fax ( ) \_\_\_\_\_

e-mail \_\_\_\_\_

☒ No: Please explain: There is no economic impact to licensees.

NEW SECTION

**WAC 196-12-100 Limited waiver of the requirement for licensure in structural engineering to design "significant structures."** The board may grant a waiver of the licensing requirement in structural engineering for qualified candidates. Said waiver is available July 1, 2008. All waivers issued by the board are not renewable and will expire 12:00 a.m. December 31, 2010. Individuals being issued the waiver are not permitted to represent themselves as being licensed in structural engineering or otherwise using any title or advertisement tending to convey the impression he or she is licensed in structural engineering.

NEW SECTION

**WAC 196-12-103 Application requirements for waiver of structural license for designing "significant structures."** The board will consider applications for a waiver to the requirement for licensure in structural engineering to design "significant structures" beginning May 1, 2008. Applicants must:

(1) Be licensed as a professional engineer in Washington state as of January 1, 2007;

(2) Submit an application for waiver that is postmarked on or before January 1, 2009. Said application to include:

(a) The names of at least three references who are licensed professional engineers with experience in seismic analysis and designs and who have direct knowledge and familiarity of the applicant's competency;

(b) Verification of at least six years of progressive structural engineering experience performing seismic analysis and design, since the date of original licensure as a PE; and

(c) Verification that qualifying experience was gained under the direct supervision of a professional engineer(s).

NEW SECTION

**WAC 196-12-105 Ineligibility for licensing waiver.** An applicant for a waiver of the structural engineering licensure requirement is not eligible if he or she has a record of

disciplinary action against his or her professional engineer's license in any jurisdiction with findings of gross negligence or incompetence.

NEW SECTION

**WAC 196-12-107 Board review of applications for structural licensing waiver.** The board may use any one or more of the following procedures in determining if an applicant is eligible for the structural licensing waiver:

- (1) Detailed review and evaluation of application;
- (2) Interviews with named references;
- (3) Review of examples of candidate's work product;
- (4) Oral interview with candidate.